IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 17921 of 2004

Between:

G.Sowjanya Devi, D/o.Bangaru Raju, R/o.Visakhapatnam.

..... PETITIONER

AND

1 The Registrar, N.T.R. Health University & Medical & Science, Vijayawada.
2 The Principal, Maharaja Institute of Medical Sciences, Nellimarla, Vizianagarm District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondents in not issuing the Hall Ticket to the petitioner for appearing the 1st year M.B.B.S. Examination scheduled to be held on 5-10-2004, is illegal, arbitrary, violation of Fundamental Rights guaranteed under the Constitution of India, and consequently direct the Respondents to issue Hall Ticket in favour of the petitioner so as to enable the petitioner to appear 1st year MBBS examinations scheduled to be held on 5-10-2004,

Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO

Counsel for the Respondent No.1.: SMT DR.Y.PADMAVATHI ,

SC for NTR Health University

Counsel for the Respondent No.2 : ----------

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed by way of writ of Mandamus seeking to declare the action of the respondents in not issuing the hall ticket to the petitioner for appearing the first year MBBS examination, scheduled to be held on 5-10-2004 as illegal and arbitrary and consequently to direct the respondents to issue hall ticket in favour of the petitioner to appear for the said examination.

It is represented by the Standing Counsel for the University that the petitioner is not having the requisite attendance for permitting her to appear for the examination.

Admittedly, for a candidate, 75% of attendance in a subject for appearing in the examination is compulsory, provided he/she has 80% of attendance in not lecture teachings, i.e., seminars, group discussions, tutorials, demonstrations, practicals, hospital (Tertiary, Secondary, Primary) postings and bed side clinics etc. In view of the same, the contention advanced by the learned Counsel for the petitioner that the petitioner could not join on her selection on 27-9-2003 and was permitted to report on or before 22-12-2003 by the University and as such her attendance should be counted from that date cannot be countenanced. As and when the petitioner possesses the required attendance, she is eligible for appearing in the next examination.

The writ petition is dismissed. No costs.

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Kvrk 05-10-2004

To

1 The Registrar, N.T.R. Health University & Medical & Science, Vijayawada.
2 The Principal, Maharaja Institute of Medical Sciences, Nellimarla, Vizianagarm District.

3. Two CD copies.